THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23182 of 2006

Dated:28.12.2006

Between
P.Govindu

.....Petitioner

and

The Revenue Divisional Officer,
Anantapur Revenue Division,
Anantapur

...Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23182 of 2006

ORDER:

This writ petition is filed seeking a Certiorari to call for the records relating to the order of the respondent *vide* proceedings in Rc.No.D1/CS/1489/2006, dated 17.10.2006 and quash the same as arbitrary and illegal.

Under the impugned proceedings, the authorization held by the petitioner against the fair price shop of Dharmapuram Village, Gooty Mandal, Anantapur District was suspended pending enquiry into certain allegations against him. Aggrieved by the same, the present writ petition is filed.

While admitting the writ petition on 8.11.2006, interim suspension of the impugned order was granted.

Now, a counter and vacate stay petition are

filed by the respondents.

The suspension order dated 17.10.2006 issued by the Revenue Divisional Officer does not indicate any serious allegations being alleged against the petitioner. The allegations are vague apart from being general in nature. There is no specific allegation against the petitioner, whereas in the counter filed by the respondent it is asserted that the fair price shop dealer cannot utilize the authority of dealership for other purposes, he is threatening SC, ST card holders which amounts to committing atrocities on SCs & STs and will cause hindrance to the common card holders. Further, he also indulged in village politics and not distributing the essential commodities properly.

In the facts and circumstances of the case, I am of the opinion that the impugned order passed by the Revenue Divisional Officer, Anantapur dated 17.10.2006 is not in public interest, and the same was in view of the general allegations made against the petitioner. Such allegations can be enquired into by the authorities concerned, without suspending

the authorization of the petitioner. Therefore, I deem it appropriate to set aside the impugned suspension order passed by the Revenue Divisional Officer, dated 17-10-2006.

Accordingly, the writ petition is allowed and the impugned order is set aside. However, this order will not preclude the authorities from conducting a detailed enquiry into the allegations made against the petitioner and taking appropriate action as per law.

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28-12-2006

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